

REMARKS

Claims 1-26 and 28 are currently pending in the subject application and are presently under consideration. Claims 1-12 and 23 have been amended as shown on pp. 2-10 of the Reply. Claims 8-10, 17-19, 21-22 and 28 have been canceled.

Applicants' representative thanks the Examiner for the courtesies extended during the teleconference of February 19, 2008.

Favorable reconsideration of the subject patent application is respectfully requested in view of the comments and amendments herein.

I. Rejection of Claims 1-26 and 28 Under 35 U.S.C §112

Claims 1-26 and 28 stand rejected under 35 U.S.C §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claims 1-26 and 28 have been amended to define the vague terms and add steps to describe the mathematical operations that are performed on the particular data values. Accordingly, this rejection is moot and should be withdrawn.

II. Rejection of Claims 1-11 Under 35 U.S.C. §101

Claims 1-11 stand rejected under 35 U.S.C. §101 because the claimed invention is directed to non-statutory subject matter. Independent claim 1 has been amended herein to clearly illustrate that the computer program is embodied within a computer-readable medium to realize the computer program's functionality. In particular, claim 1 as amended is directed towards ***a computer-readable medium having computer-readable instructions embedded therein*** which, when executed by a computer, cause the computer to implement a method for facilitating determination of equilibrium values, comprising:.... (Support for these amendments can be found on pg. 5, lines 20-30). Accordingly, this claim includes functional descriptive material within a computer-readable medium, and is therefore directed to statutory subject matter. Claims 2-11 depend from claim 1 and incorporate the limitations of independent claim 1. Accordingly, this rejection should be withdrawn with regard to claims 1-11.

CONCLUSION

The present application is believed to be in condition for allowance in view of the above comments and amendments. A prompt action to such end is earnestly solicited.

In the event any fees are due in connection with this document, the Commissioner is authorized to charge those fees to Deposit Account No. 50-1063 [MSFTP526US].

Should the Examiner believe a telephone interview would be helpful to expedite favorable prosecution, the Examiner is invited to contact applicants' undersigned representative at the telephone number below.

Respectfully submitted,

AMIN, TUROCY & CALVIN, LLP

/Himanshu S. Amin/

Himanshu S. Amin

Reg. No. 40,894

AMIN, TUROCY & CALVIN, LLP
24TH Floor, National City Center
1900 E. 9TH Street
Cleveland, Ohio 44114
Telephone (216) 696-8730
Facsimile (216) 696-8731